

**Minutes  
Windsor Town Council Meeting  
Town Hall  
August 11, 2009**

**DRAFT**

The Windsor Town Council met in regular session on August 11, 2009 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. John L. Rowe, Jr., Interim Town Manager, Sergeant Arlis Reynolds, Michael Stallings, Assistant Town Manager/Planning and Zoning Administrator, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present: Wesley F. Garriss  
William L. Jones  
Carita J. Richardson  
Durwood V. Scott  
Greg Willis

Council member absent: J. Clinton Bryant

Mayor Crocker said Councilman Bryant is out of town and would not be attending the meeting tonight. He asked Councilman Garriss to give the invocation, and he did.

Mayor Crocker said he would like to recognize Mr. Rowe, Interim Town Manager at this time. Mr. Rowe said Michael Stallings is seated in the Town Manager seat at the Council table as part of his training process for becoming the Town Manager. Mayor Crocker said Michael Stallings is undergoing an apprenticeship for Town Manager as he continues to work with Mr. Rowe.

**Delegations, Public Comments, and Citizens Concerns**

None

**Consent Agenda**

Mayor Crocker asked for approval of the consent agenda, which included the minutes of the July 14, 2009 Council meeting and the Treasurer's report. He said he would like to thank staff for the efforts put into the Treasurer's Reports. Mr. Stallings explained the budget transfer request which was included in the Treasurer's Report. Councilwoman Richardson made a motion to approve the consent agenda as received and also approve the transfer of the sum of \$200 from Account number 4-100-11010-1100 within the Town's 2009-2010 Operating Budget, Mayor & Council Compensation to Account number 4-100-11010-5800,

Dues and Subscriptions. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

## **Assistant Town Manager's Report**

### ***Hurricane Preparedness Briefing by Rusty Chase***

Mr. Stallings said the first item is a hurricane preparedness presentation by Rusty Chase, Isle of Wight County's Director of Emergency Services. He asked Mr. Chase to come forward to brief Council on hurricane preparedness.

Mr. Chase thanked the Mayor and Council for asking him to come and speak about emergency and hurricane preparedness. He said his department is very fortunate to have the support from the County and also from the Town of Windsor and the Town of Smithfield. He said there is an emergency shelter located at Windsor High School with a 1000kw generator, which can run the entire school. He said there is a shelter at Smithfield Middle School, and there is a backup shelter at Carrollton Elementary School. He said a generator has been placed at Carrsville Elementary School, which can also be used as a shelter in case of an emergency. Mr. Chase said the two main shelters are Windsor High School and Smithfield Middle School. He said his department has recently revised the Emergency Operation Plan for the County.

Mr. Chase said the Emergency Operations Center is located in the Public Safety Building for Isle of Wight County. He briefed Council on the equipment within the department available for use in an emergency situation. He had three handouts for Council and for those persons present at this Council meeting. He had the Virginia Hurricane Guide, Ready Virginia brochure, and also a card explaining how to sign up for Alert Now Program to notify citizens of an emergency. Mr. Chase explained the importance of each residence having a hurricane kit prepared ahead of time and on hand. He said it is also very important for each residence to make a plan and make sure that the family members know the plan. He continued to brief Council on the services available to Isle of Wight County residents by the Emergency Operations Center. He said education is the key when an emergency situation occurs. He gave Council the opportunity to ask him questions, and he invited Council to the Emergency Operations Center for a tour.

Members of Council asked several questions about a generator backup for the stoplight at Route 460 and Route 258 intersection, and a battery backup for the six-way intersection and also the routing of traffic on Route 460 when there is flooding possibilities. Mr. Chase said a battery backup was in place at the intersection of Route 460 and Route 258. He said there is not a battery backup at the six-way intersection in the town. Mr. Chase said he talked with Mr. Neblett with the Virginia Department of Transportation (VDOT), and Mr. Neblett said the Town would need to make a written request for a study for the need of battery

backup for the six-way intersection. Mr. Chase said he would be glad to work with Mr. Stallings on this issue.

Mayor Crocker said he would like town staff to arrange a time for Council to tour the Isle of Wight County Emergency Operations Center. Mr. Stallings said he would take care of arranging the tour.

Councilman Willis said he would like to commend Rusty Chase for the work he has done with the Emergency Operations Center. He said Mr. Chase is a tremendous asset to Isle of Wight County.

Councilman Scott made a motion to have the Town Manager request VDOT to conduct a study of backup power for the stoplight at the six-way intersection in town. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

### ***Setting the Date for the Public Hearing on Proposed New Town Charter***

Mr. Stallings said Council has completed the process of a thorough examination of the Proposed New Town Charter. He said the draft Charter within the Council agenda package includes those changes suggested by Council. He said Council at its Work Session asked to place this item on the agenda so that Council could formally set the date and time for the public hearing by the adoption of a motion. Mr. Stallings said the recommended motion before Council would set the public hearing on the matter for the September 8, 2009 Council meeting at 7:00 p.m. in the Council Chamber.

Vice Mayor Jones made a motion to advertise a public hearing on the matter of the Town asking the Virginia General Assembly to grant the Town a new Charter at 7:00 p.m., Tuesday, September 8, 2009, in the Council Chamber, Windsor Town Hall, located at 8 East Windsor Boulevard, Windsor Virginia. Councilwoman Richardson seconded and Council passed the motion four to one as recorded on the attached chart as motion #3.

Councilman Garriss said he has some concerns on the changes, and he said he is not sure he can support the proposed new Charter. He said he does not know why there is need to make the change to have the Mayor being able to vote on all matters. He said it has worked fine the way it is for many years, and he said he does not see a reason to change it now. He said the Mayor gets to vote if there is a tie vote, and he feels that is sufficient.

### ***Council Working as a Committee of the Whole***

Mr. Stallings said the item of Council working as a committee of the whole he will refer to Mr. Rowe. Mr. Rowe said he asked Mr. Stallings to do this. He said he had a conversation with Councilman Bryant who had some concerns about this

item. He said the recommended motion in the agenda package was an attempt to try to capture all the conversation at Council's last work session and also conversation that took place later. He said this is an important issue. Mr. Rowe said that he recommends Council consider an alternate motion which he has placed before Council. He said the alternate motion takes out the personnel committee, and it has Council operating as a committee as a whole. He said he feels this would go a long way to help Council operate as a team. He said all Council members will get the information at the same time and will receive the same amount of knowledge and have the same opportunity to discuss any items in detail.

Council and staff discussed how Council working as a committee of the whole would work differently from individual committees. Council also discussed whether to call the appointed Council member of a committee a liaison or a chairman.

After discussing the issue, Councilman Scott made a motion that Council, starting on this date, operate as a committee of the whole, and the Mayor shall appoint Council members to serve as liaisons of each committee. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

### ***Comprehensive Financial Policy Amendment***

Mr. Stallings said as Council is aware, it adopted a set of Comprehensive Financial Policies at its December 9, 2008 meeting. He said one of the policies is the Capital Asset Policy. He said the Town Manager is recommending that Council amend the Capital Asset Policy. The first amendment will establish a monetary threshold for the capitalization and accounting of non-fixed assets. He said the amendment defines \$5,000 as the capitalization threshold for all non-fixed assets, such as equipment, vehicles, etc. He said this will allow staff to track items that are under the \$5,000 threshold, such as computers and police department weapons.

Mr. Stallings said the second amendment establishes a Surplus Property Policy as part of the Comprehensive Financial Policies. He said this policy lays out the process by which the Town determines and declares its non-fixed capital assets surplus to the Town's needs, and it establishes how the Town disposes of the property once Council deems it surplus. He said that he recommends that Council adopt the motion that approves these amendments to the Comprehensive Financial Policies.

Councilman Willis made a motion to adopt the amendments to the Town's Comprehensive Financial Policies dated December 9, 2008 by amending the Capital Asset Policy to establish a monetary threshold of \$5,000 for non-fixed assets and to establish a Surplus Property Policy as part of the Town's

Comprehensive Financial Policies. Councilman Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

### ***Declaration of Surplus Property Resolution***

Mr. Stallings said before Council is a resolution, if adopted, which will declare three items surplus property. He said the Town Manager has examined the items, and he has determined that they are no longer needed or used by the Town. He said the three items are: a 1992 Ford Crown Victoria Sedan, which was previously used by the planning and zoning department, a 1997 Ford Taurus Sedan previously used by the Town's Police Department, and a Ricoh copy machine previously used in the Town Hall. Mr. Stallings said he would recommend to Council to adopt the attached resolution declaring the mentioned items surplus to the Town.

Mayor Crocker asked the Town Clerk to read the title of the proposed resolution. The Clerk read the title as follows: "*A Resolution Declaring Certain Non-fixed Assets Surplus and Approving the Disposal of Said Assets.*"

Vice Mayor Jones made a motion to adopt the resolution entitled *A Resolution Declaring Certain Non-fixed Assets Surplus and Approving the Disposal of Said Assets*. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Council and staff discussed how to establish a fair value on items that are listed as surplus. Mr. Stallings said they would do everything possible to get the best price on the items for the Town.

### ***Calendar of Events***

Mr. Stallings said the calendar of events is in Council's agenda packet for Council's information.

### ***Fall Clean Up Date***

Mr. Stallings said the Town's fall clean up is set for November 7, 2009. He said Council had expressed a concern to have it scheduled far enough in the fall for the leaves to fall and before the Thanksgiving holiday. He said this date has been confirmed by AVES, the Town's contracted collection company. Councilman Garris and Councilman Scott agreed that November 7<sup>th</sup> was too early in the fall for the majority of the leaves to have fallen. Councilman Garris said years ago the clean up was always scheduled the Saturday of the Thanksgiving holiday. It was Council's consensus to have the date of the fall clean up moved closer to the Thanksgiving holiday. Mr. Stallings said he would contact the contractors to see if the date can be moved to later in November.

## **Police Chief's Report**

Mr. Stallings said Sergeant Reynolds would be giving the Police Chief's Report tonight because Chief Porti is out of town at training. He said there are two items to note that Sergeant Reynolds will be discussing. One is the robbery at Dairy Queen, and the second is a traffic stop made by Officer Stephens that turned into a pursuit which lead to the apprehension of the individual.

Sergeant Reynolds said there was an armed robbery of Dairy Queen. He said due to the quick response of the police, they were able to capture the suspect and took him into custody. He said the Police recovered some of the money as well as a fire arm. He said the investigation is still on-going.

Sergeant Reynolds said Officer Stephens conducted a traffic stop on a vehicle for defective equipment in the area of Deer Path and Shiloh Drive. He said when Officer Stephens asked the individual for his registration, the individual opened the car's glove box, and a handgun was produced. He said Officer Stephens made a tactical movement to the rear driver's side of the vehicle, and he began giving oral commands to the driver. Sergeant Reynolds said the driver fled the scene in his vehicle almost striking Officer Stephens. He said Officer Stephens gave chase, and the suspect fled on foot when his vehicle came to a stop near Farmer's Bank. He said State Police and Isle of Wight County Sheriff's Deputies, as well as himself, arrived to assist Officer Stephens. He said the Police found the suspect hours later as he tried to make his way through the perimeter that he formed with the assistance of the other officers around the town. Sergeant Reynolds said the individual was apprehended, and the Police charged him with multiple felonies. He said that the individual has been released from Western Tidewater Regional Jail on bond.

Sergeant Reynolds said there were a total of 248 calls for service for July resulting in 237 of the calls responded to by the department. He said there were 116 traffic stops resulting in 96 traffic summons and 18 warnings. He said there were 13 felony arrests resulting in 27 charges and five misdemeanor arrests resulting in nine charges.

Sergeant Reynolds said the department has been working with youth in the area on several projects. He said the relationship with surrounding jurisdictions has been improving greatly every day. He said the department is seeing a significant increase in domestic violence and burglaries and larcenies. He said this is usually the trend with the economic times.

Councilman Scott asked Sergeant Reynolds to explain further youth work which was listed on the report. Sergeant Reynolds said this issue is in relation to the department's on-going effort to eliminate the potential for certain youth crimes and gang activity. He said he and several other officers are working with some community members to see what type of programs might be beneficial to

eliminate these problems from the community. Sergeant Reynolds said he has met with approximately seven youth from the community to listen to what they have to say about the issues they are faced with each day.

### **Town Attorney's Report**

Mr. Pretlow said the parking and vehicle storage issue that was raised at the Council's last work session, after research, seems to be in compliance with the vehicles being registered to the owner of the property. He said he will continue the pursuit of an ordinance to address the problem. He said the ordinance once drafted would not wait for the comprehensive zoning ordinances which will not be ready until approximately 2010. Mr. Pretlow said he and Mr. Stallings would be working on an ordinance to address the parking and storage issue raised by Council.

Mayor Crocker asked Mr. Pretlow and Mr. Stallings to give an update at each Council meeting on the progress of this matter.

### **Mayor's Report**

No report.

### **Other Reports**

No report.

### **Planning Commission**

Mayor Crocker said he would like to recognize Ms. Francis Butler present at the Council meeting tonight. He thanked her for attending the meeting.

Mr. Stallings said the Planning and Zoning Report for July is before Council. He said the Town issued five zoning permits and one notice of violation, but there were violations taken care of through phone calls or face to face.

Mr. Stallings said the next Planning Commission meeting is scheduled for August 26, 2009.

### **Economic Development Committee**

Councilman Scott said the committee met on August 10, 2009. He said the committee was brought up-to-date on what Council decided on the sidewalks in the Town. He said he also shared with the committee the letter from Senator Louise Lucas expressing the Town's interest in a center turn lane on Route 460. He said committee member Thomas Kline has resigned his position on the committee. Councilman Scott said the Economic Development Committee would

like to recommend Randy Carr as the replacement for the position resigned by Thomas Kline. Councilwoman Richardson seconded the recommendation, and Council passed the motion as recorded on the attached chart as motion #7.

Councilman Scott said the committee also discussed the Town's farmers market, and he said he would share any of the comments made regarding the market with Council at a later time if anyone was interested.

Councilman Scott said he attended the Economic Development Policy meeting in Richmond recently. He said at the meeting they established and recommended three different policies that will be presented at the VML Conference in Roanoke in October, 2009. He said the policies were dealing with economic health and urban centers, impact fees and economic development efforts in Virginia.

Mr. Stallings asked Councilman Scott if he wanted to mention the Trade Show scheduled in November. Councilman Scott said Ms. White from Isle of Wight County sent an email regarding a Trade Show in Windsor. He said one was held last year, and they would like to do it again. He said the date recommended to the County for the Trade Show was Thursday, November 12, 2009.

### **Work Force Housing**

No report.

### **Old or Unfinished Business**

Councilman Willis asked Mr. Rowe what is the status of the utility pole on Shiloh Drive and Lovers Lane. Mr. Rowe said he working on this issue with Mr. Neblett.

Councilman Scott said as a follow-up on Mr. Chase's comments earlier, Council may want to consider having a satellite office for emergency services within the Police Station. He said Council may want to keep this in mind when searching for a location for the Police Station.

### **New Business**

None

Vice-Mayor Jones made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-1 for the purpose of discussing personnel matters regarding the hiring of a new town manager. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.



Councilman Willis made a motion to go back into regular session. Vice Mayor Jones seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Vice Mayor Jones made a motion pursuant to Virginia Code Section 2.2-3712, Subsection D that Council discussed only public business matters lawfully exempted from open meeting requirements, and that Council heard, discussed, or considered only such business matters as were identified in the motion that Council passed to go into closed session. Councilman Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

Vice Mayor Jones made a motion to adjourn. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11. The meeting adjourned approximately at 9:40 p.m.

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Marvin A. Crocker, Jr., Mayor

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Robin Hewett, Town Clerk

TOWN OF WINDSOR  
RECORD OF  
COUNCIL VOTES

Council Meeting Date August 11, 2009

Motion #	Garris	Jones	Bryant	Scott	Willis	Richardson	M. Crocker
1	Y	Y	Absent	Y	Y	Y	
2	Y	Y	"	Y	Y	Y	
3	Y	Y	"	Y	Y	Y	
4	Y	Y	"	Y	Y	Y	
5	Y	Y	"	Y	Y	Y	
6	Y	Y	"	Y	Y	Y	
7	Y	Y	"	Y	Y	Y	
8	Y	Y	"	Y	Y	Y	
9	Y	Y	"	Y	Y	Y	
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